

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF THE ROGERS CITY CODE; PROVIDING FOR THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES.

WHEREAS, Sections 14-19; 14-44; 14-74; 14-256; Chapter 14, Article IV, Division 3 Title; 14-482; and 14-1007 of the Rogers City Code require updates in order to ensure accuracy and consistency with Section 14-46 also known as The Complete Streets Policy.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

Section 1: That Chapter 14 of the Code of Ordinances, City of Rogers, Arkansas, is hereby amended and Sections 14-19; 14-44; 14-74; 14-256; Chapter 14, Article IV, Division 3 Title; 14-482; and 14-1007 shall read as shown in the attached Exhibits "A", "B", "C", "D", "E", "F", and "G", attached hereto and incorporated by reference as if set out word for word herein.

Section 2: That the need to amend said City Code chapter is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval.

Section 3: Severability Provision. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 4: Repeal of Conflicting Ordinances and Resolutions. All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this 28th day of July, 2015.

APPROVED:

C. Greg Hines
C, GREG HINES,
Mayor

Attest

Peggy David
PEGGY DAVID, City Clerk



Requested by: Lance Jobe

Prepared by: Chris Griffin, Senior Staff Attorney

EXHIBIT "A"

Sec. 14-19. Purpose and application of chapter.

- (a) Purpose. The purpose of these regulations is to set forth the procedures, criteria and specifications for development of streets, sidewalks, sidepaths and drainage including inspection, sampling and acceptance of same.
- (b) Authority. This chapter is adopted in accordance with the authority granted by the laws of the state.
- (c) Jurisdiction. This chapter applies to all lands in the city and its planning area jurisdiction where the subdivision of land is being regulated.

(Code 1997, § 111-1; Ord. No. 04-56, § 5, 5-25-2004)

Sec. 14-44. - Street geometry.

Requirements	Minor	Collector	Minor Arterial	Major Arterial
Minimum greenspace widths	4.5 feet*	6 feet	6 feet	6 feet
Minimum row width	50 feet	70 feet	80 feet	100 feet
Minimum fore/back slope	3:1/2:1	3:1/2:1	3:1/2:1	3:1/2:1
Pavement width	30 feet B-B*	42 feet B-B	48 feet B-B	68 feet B-B
Pavement thickness	See Note 1			
Parking	One side*	No parking	No parking	No parking
Sidewalks	5 feet Both sides	6 feet	NA	NA
Sidepaths	NA	10 feet	10 feet Both sides	10 feet Both sides
Design speed	25 mph	30-35 mph	35-40 mph	40-45 mph
Sight distance	250 feet	275 feet	300 feet	350 feet
Intersection to curb cut/drive (CL drive to ROW of intersecting street)	40 feet	100 feet	250 feet	250 feet
Minimum horizontal radius at centerline	150 feet	500 feet	800 feet	800 feet (use 2% super)
Minimum curb radius	30 feet	30 feet	40 feet	50 feet
Minimum street jog	See Note 2			
Minimum horizontal tangent between reverse curves	100 feet	300 feet	400 feet	400 feet
Minimum intersection approach speed	25 mph for all classes (see Note 4)			
Minimum intersection angle	75 degrees for all classes			
Maximum residential driveway width	36 feet for all classes			
Maximum commercial/industrial drive width	40 feet for all classes			
Bridge/culvert design	HL-93 loading for all classes, LRFD			

*Varies, see typical section details.

General note: Any street or roadway construction involving federal and/or state highway department funds shall meet the federal/state requirements.

Note 1: The structure of all pavement sections collector and greater shall be designed by a registered engineer based on a geotechnical investigation. For minor streets, see section 14-45

Note 2: Normally the distance shall be 150 feet, however this distance may be varied in unusual terrain and topography.

Note 3: Eight percent (ten percent with special justification).

Note 4: In hilly terrain the approach speed may be reduced to 20 mph; the sight distance reduced to 70 feet. If the intersection is signalized, the approach speed will be the posted speed of the road.

(Code 1997, § 111-10; Ord. No. 04-56, § 5, 5-25-2004; Ord. No. 05-75, 5-24-2005; Ord. No. 12-27, § 1(Exh. A), 2-28-2012)

EXHIBIT "C"

Sec. 14-74. - Curb and gutter.

- (a) The subgrade shall be shaped and compacted to the required grade and section as shown on the plans. All unsuitable material, including soft and yielding material, shall be removed and replaced with suitable material and compacted to the proper density.
- (b) For flexible pavements, the appropriate depth of base material shall be carried at least one foot beyond the back of the curb for drainage. This requirement only applies when the total flexible pavement structure is ten inches or more. This will require a minimum of four inches of Class 7, asphalt stabilized base, or cement treated base between the subgrade and the curb and gutter. In efforts not to produce a trench section, the base material should be daylighted where possible and feasible. If the flexible pavement structure is less than ten inches it is not required to carry the base material under the curb and gutter.
- (c) For concrete pavement, the Class 7 base shall be carried at least one foot beyond the back of the curb and gutter. The slope of the subgrade shall be maintained under the curb and gutter and for at least one foot behind. Any buildup for the curb and gutter shall be with the special base. In efforts not to produce a trench section, the special base should be daylighted where possible and feasible.
- (d) All utility lines, including service lines, shall be laid, backfilled and compacted with Class 7 base or other material suitable to the street superintendent before the curb and gutter is constructed.
- (e) Any service or utility line crossing not placed before the pavement and curb and gutter are constructed shall be installed by boring, and the procedures shall be approved by the street superintendent. A permit and a cash deposit or bond shall be required. Cutting of the pavement will not be permitted, except in extreme and unusual conditions. Such exceptions shall be approved by the street superintendent or city engineer in writing.
- (f) All curb and gutter shall be constructed of Portland cement concrete. The concrete shall meet the AHTD requirements for Class S (AE) air entrained concrete, and have a minimum 28-day compressive strength of 3,500 PSI when tested in accordance with AASHTO T 23 in compliance with City Standard Specifications.
- (g) Where flexible pavements are used, concrete curb and gutter contraction joints shall be provided at 15-foot intervals. Expansion joints shall be provided at 75-foot intervals and at all stationary structures, such as drop inlets and at curb returns. They are to be constructed at right angles to the curbline. Where rigid pavements are used, sawed joints shall be provided to match the transverse joints in the concrete pavement and expansion joints shall be provided at stationary structures such as drop inlets, and at curb returns.
- (h) If the subgrade, subbase, or base is dry, it shall be wetted just prior to placing the concrete so the moisture will not be pulled from the concrete.
- (i) After the concrete curb and gutter has set, the area behind the curb shall be partially backfilled before the base material is placed and compacted.
- (j) Curb modifications for driveways shall be in accordance with the standards for the city detail. The driveway shall slope up to a minimum elevation at the roadway right-of-way equal to the height of the curb. As an alternate, back of the curb and gutter section for the driveway may be sawed vertically for the full depth and removed. The curb and gutter shall then be constructed as a part of the driveway. The modified curb and gutter must have the shape shown in the standard detail, and have one-quarter inch filled construction joints at each end of the driveway.
- (k) Sidewalks and sidepaths shall be required to be constructed within the right-of-way or easement.
- (l) At all roadway intersections and where necessary at driveways, the curb and gutter, sidewalk and/or sidepath shall be modified to meet ADA requirements.
- (m) Temperature shall be at least 35° and rising, but can't be 40° and falling when placing concrete.
- (n) Green concrete that has been rained on will require re-inspection by city.

(Code 1997, § 111-24; Ord. No. 04-56, § 5, 5-25-2004; Ord. No. 12-27, § 1(Exh. A), 2-28-2012; Ord. No. 13-86, § 1(Exh. A), 10-22-2013)

Sec. 14-256. - Design standards, regulations and required improvements.

The proposed large-scale development shall meet the following regulations and required improvements. Also, it shall meet the state health department requirements. Unless specified, the following standards, regulations and required improvements apply to all developments:

- (1) Storm drainage design must meet the minimum drainage requirements as defined by city ordinance. An engineer's certification calculations must be provided for all improvements. Improvements must be completed and certified by the engineer of record before a certificate of occupancy is issued.
- (2) Developments within a floodplain or floodway must meet all city and FEMA requirements for new construction in floodplains or floodways.
- (3) Where applicable, verify impact of development with the airport zoning and hazard map. Notification of the FAA may be necessary prior to construction.
- (4) Developments will require the approval of the planning commission and all affected service providers.
- (5) Proposed buildings must meet the setback requirements of the zoning ordinance.
- (6) Parking must meet the requirements of the zoning ordinance and must be paved. Handicap spaces provided must meet local, state and ADA requirements, including truncated domes at all handicap ramps.
- (7) Proposed streets or drives connecting to public streets must meet requirements of the city and/or the state highway and transportation department.
- (8) Proposed signage must meet the requirements specified in the city zoning ordinance. A supplemental permit is required for any signage.
- (9) Proposed connections to city water or sewer systems must meet the requirements of the city water and sewer department.
- (10) Proposed trash dumpster locations must be enclosed with a six-foot high vision-blocking screen on all four sides.
- (11) Sidewalks (see Typical sidewalk and street detail, section 14-46 and 14-1002).
 - a. Sidewalks shall be installed according to city standards and specifications, as adopted by the city council, along both sides of all streets in all subdivisions platted after January 1, 1990; and along one or both sides of all streets, as is applicable, in all other new development which is required to submit a large-scale development plan. For the purposes of this section, sidepaths shall be considered sidewalks except as specifically called out below.
 - b. All sidewalks shall be constructed to the following specifications:
 1. Sidewalks shall be placed as shown on the Street Typical Sections.
 2. Accessible curb ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, driveways and street intersections.
 3. Sidewalks shall be constructed on a compacted subgrade which is free from dust pockets, ruts, topsoil, organics and other defects.
 4. Sidewalks shall be constructed of Portland cement concrete with a minimum 28-day compressive strength of 3,500 pounds per square inch.
 5. Sidewalks shall be constructed with a maximum transverse slope of one-fourth inch per foot, and a minimum transverse slope to allow proper drainage.
 6. Sidewalks on minor streets shall be five feet wide. Sidewalks on collector streets shall be six feet wide. Sidepaths on collector streets and above shall be ten feet wide.
 7. The concrete shall be four inches thick with four inches compacted base over suitable compacted subgrade except at driveways where the concrete shall be six-inches thick.
 8. Expansion joints shall be a maximum of 25 feet apart for sidewalks and 50 feet for sidepaths.

9. Transverse joints between expansion joints for a sidewalk shall be scored or sawcut at intervals equal to the width of the sidewalk. Transverse joints between expansion joints for a sidepath shall be sawcut at intervals equal to the width of the sidewalk.
 10. Sidewalks shall be finished to a smooth broom finish.
 11. Sidewalk subgrade shall be inspected prior to pouring the sidewalk. All requests for inspections shall require a minimum 24-hour notice.
 12. The city planning authority or street authority shall have the discretion and authority to grant exceptions in order to accomplish reasonable continuity in sidewalks.
 13. The property owner shall be responsible for repair and maintenance of the sidewalk, and this requirement shall be included in the protective covenants and on the face of the plat.
 14. In existing subdivisions that are covered by this section, the developer shall submit suggestions pertaining to sidewalk location to the city planner. The developer, city planner and city council committee chairman shall make the final decision on the location.
 15. In new subdivisions, sidewalks shall be laid out by the developer on the plat and presented to the planning commission for approval at the same time as the streets. The developer will have the flexibility to choose where the sidewalks are located and to design his sidewalk system based on the terrain, necessity, functional utility, etc. Final approval location cannot be changed without the approval of the planning commission.
- c. If the sidewalk is not installed per the large-scale development plan as required above, the record owner of the land shall be subject to a fine and each day that the violation exists shall constitute a separate offense. In addition, the city shall have the right to install the sidewalk and charge the cost thereof to the owner; and the city shall have a lien against the land for such costs. The planning department may allow a bond or payment in lieu of construction at their discretion at a value determined by the design engineer and agreed by the city's planning staff.
- (12) A percentage of the total land area will be devoted to landscaping. If the total land area is two acres or less, developer must provide either 20 percent green space with at least one new tree or shrub meeting the plant criteria herein for each 1,000 square feet of the total land area; or, 15 percent green space with one tree or shrub for every 500 square feet of total land area. Tree size must be increased from 2½-inch ball and burlap to four-inch ball and burlap if 15 percent green space is provided.
- (13) Drainage detention basins, if solid sodded, can be included as a portion of the required landscape areas up to a maximum of five percent of the required landscape area. Public street and highway right-of-way may not be included as part of the required landscape area.
- (14) Criteria for plant materials:
- a. At least one new tree or shrub meeting the plant criteria herein must be provided for each 1,000 square feet of the total land area for developments up to two acres. At least one new tree or shrub must be provided for each 2,000 square feet of the total land area for developments over two acres.
 - b. New plants may be selected from the recommended plants list provided by the planning authority office. Plants should be selected for hardiness in local zones. Plants should be arranged to facilitate growth and avoid damage by development.
 - c. Deciduous ornamental trees must be balled-and-burlaped, 1½-inch caliper, minimum. Deciduous shade trees must be ball-and-burlaped, 2½-inch caliper by six feet tall, minimum. Shrubs are to be five gallon size, minimum.
 - d. Perennials from the recommended plants list qualify as a plant selection to meet minimum requirements in the ratio of 20:1. Twenty perennials, six-inch pot size, equal one tree or shrub. Perennials qualify as plant selections to a maximum of 25 percent of the required number of plants.
 - e. Credit to the plant requirement will be considered for existing trees provided they are of a desirable type, are healthy specimens, they contribute to the compatibility of the development and they are not threatened by the construction or placement of the proposed development. Qualification or placement of the proposed plant material must be verified with the planning authority office.

- (15) Landscape buffer zones, screening fences or walls will be required where nonresidential zones abut residential zones. Landscape buffer zones, screening fences or screening walls may also be required where zones R-MF (multifamily), R-MHC (manufactured home community) and R-O (residential office) abut low density residential zones R-E (residential estate) and R-SF (residential single-family). The width of the required buffer should be verified with the planning authority office.
- (16) Developer may be required to upgrade existing city streets bordering the property. Street improvements must meet city standards. Additional right-of-way, if required, must be dedicated to the city in accordance with the city street master plan. Verification of this requirement should be coordinated with the planning authority office.

(Code 1997, § 60-40; Ord. No. 04-56, § 7(3.01), 5-25-2004; Ord. No. 05-33, § 1, 2-22-2005; Ord. No. 12-27, § 1(Exh. A), 2-28-2012; Ord. No. 13-86, § 1(Exh. A), 10-22-2013)

EXHIBIT "E"

Chapter 14 - DEVELOPMENT

ARTICLE IV. - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

DIVISION 3. - SIDEWALKS AND SIDEPATHS

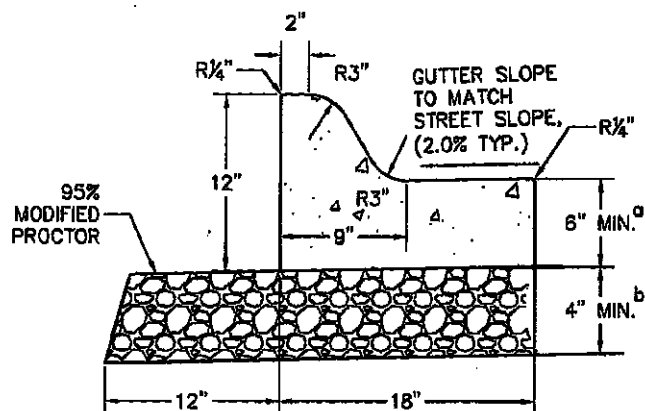
EXHIBIT "F"

Sec. 14-482. - Subdivisions and new development generally.

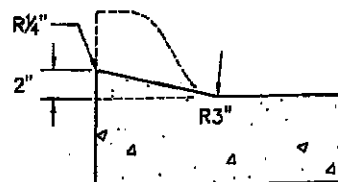
- (a) Sidewalks shall be installed according to city standards and specifications, as adopted by the city council, along both sides of all streets in all subdivisions platted after January 1, 1990, and along one or both sides of all streets, as is applicable, in all other new development which is required to submit a large-scale development plan. For the purposes of this section, sidepaths shall be considered sidewalks except as specifically called out below.
- (b) All sidewalks shall be constructed to the following specifications (see Typical sidewalk detail, section 14-1002):
 - (1) Sidewalks shall be placed as shown on the Street Typical Sections.
 - (2) Handicapped curb ramps shall be provided wherever a sidewalk crosses a curb at crosswalks, commercial driveways and street intersections.
 - (3) Sidewalks shall be constructed on a compacted subgrade which is free from dust pockets, ruts, topsoil, organics and other defects.
 - (4) Sidewalks shall be constructed of Portland cement concrete with a minimum 28-day compressive strength of 3,500 pounds per square inch.
 - (5) Sidewalks shall be constructed with a maximum transverse slope of one-fourth inch per foot, and a minimum transverse slope to allow proper drainage.
 - (6) Sidewalks on minor streets shall be five feet wide. Sidewalks on collector streets shall be six feet wide. Sidepaths on collector streets and above shall be ten feet wide.
 - (7) The concrete shall be four inches thick except at driveways where it shall be six-inches thick.
 - (8) Expansion joints shall be a maximum of 25 feet apart for sidewalks and 50 feet for sidepaths.
 - (9) Transverse joints between expansion joints for a sidewalk shall be scored or sawcut at intervals equal to the width of the sidewalk. Transverse joints between expansion joints for a sidepath shall be sawcut at intervals equal to the width of the sidewalk.
 - (10) Sidewalks shall be finished to a smooth broom finish.
 - (11) Sidewalk subgrade shall be inspected prior to pouring the sidewalk. All requests for inspections shall require a minimum 24-hour notice.
 - (12) The city planning authority or street authority shall have the discretion and authority to grant exceptions in order to accomplish reasonable continuity in sidewalks.
 - (13) The property owner shall be responsible for repair and maintenance of the sidewalk, and this requirement shall be included in the protective covenants and on the face of the plat.
 - (14) In existing subdivisions that are covered by this section, the developer shall submit suggestions pertaining to sidewalk location to the city planner. The developer, city planner and city council committee chairman shall make the final decision on the location.
 - (15) In new subdivisions, sidewalks shall be laid out by the developer on the plat and presented to the planning commission for approval at the same time as the streets. The developer will have the flexibility to choose where the sidewalks are located and to design his sidewalk system based on the terrain, necessity, functional utility, etc. Final approval location cannot be changed without the approval of the planning commission.
- (c) If the sidewalk is not installed per the large-scale development plan as required above, the record owner of the land shall be subject to a fine, and each day that the violation exists shall constitute a separate offense. In addition, the city shall have the right to install the sidewalk and charge the cost thereof to the owner; and the city shall have a lien against the land for such costs. The planning department may allow a bond or payment in lieu of construction at their discretion at a value determined by the design engineer and agreed by the city's planning staff.

EXHIBIT "G"

Sec. 14-1007.

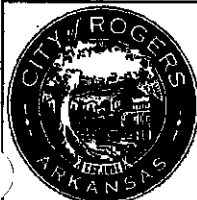


STANDARD CURB AND GUTTER

MODIFIED CURB AND GUTTER
(PLACE ACROSS ALL DRIVEWAYS)

1. CONCRETE SHALL BE CLASS B, 3500 PSI, 4-7% AIR ENTRAINED. CONCRETE MAY NOT BE POURED IF A FALLING AIR TEMPERATURE FALLS BELOW 40° F NOR RESUMED UNTIL AN ASCENDING AIR TEMPERATURE RISES ABOVE 35° F WITHOUT SPECIFIC AUTHORITY FROM THE CITY REPRESENTATIVE. ALL CONCRETE MATERIALS, HANDLING, PLACING, JOINTING, SAMPLING, FINISHING AND CURING SHALL BE PER CITY STANDARD SPECIFICATIONS.
2. CONTRACTION JOINTS SHALL BE PLACED AT 15 FOOT INTERVALS WITH EXPANSION JOINTS AT 75 FOOT INTERVALS.
3. ALL CONTRACTION JOINTS SHALL BE SEALED WITH SONNEBORN® SONOLASTIC SL 1™ (OR APPROVED EQUAL) ACCORDING TO MANUFACTURER'S INSTRUCTIONS PRIOR TO FINAL ASPHALT PLACEMENT.
4. EXPANSION JOINT MATERIAL SHALL BE REQUIRED AT ALL STATIONARY STRUCTURES OR AS DIRECTED BY ENGINEER. THE EXPANSION MATERIAL SHALL BE ½" ASPHALT IMPREGNATED FIBERBOARD CONFORMING TO AASHTO M-213. MATERIAL SHALL BE LEFT LOWER OR TRIMMED TO BE ½" BELOW THE TOP OF CURB.
5. EXPANSION JOINT MATERIAL SHALL BE FULL DEPTH OF THE CURB AND PERPENDICULAR TO THE CURB LINE.
6. ALL CURB AND GUTTER SHALL RECEIVE A BROOM FINISH.
7. CONTRACTOR SHALL PROVIDE THE CITY 24 HOURS NOTICE WHEN FORMS OR STRINGLINE ARE READY PRIOR TO CONCRETE PLACEMENT.
8. FOR CONCRETE STREETS, IF THE CURB AND GUTTER IS CAST SEPARATELY, ½" Ø DOWEL RODS 30" LONG SHALL BE PROVIDED A MINIMUM OF EVERY 30" ON-CENTER.

- a. IF MONOLITHICALLY CAST WITH THE STREET, THICKNESS SHALL MATCH STREET PAVING THICKNESS.
- b. IF PAVEMENT SECTION IS 10" THICK OR MORE, 4" OF CLASS 7 AGGREGATE SHALL EXTEND UNDER CURB AND 1 FOOT BEYOND. IF THE PAVEMENT SECTION IS LESS THAN 10" THICK, THE CURB AND GUTTER MAY BE PLACED ON SUBGRADE. SUBGRADE SHALL BE PROOF-ROLLED BY A LOADED TANDEM-AXLE DUMP TRUCK.



CITY OF ROGERS

301 WEST CHESTNUT STREET
ROGERS, ARKANSAS 72756
(479) 621-1186

CURB AND GUTTER DETAIL

NOT TO SCALE

JUNE 23, 2015